



PUBLIC DISCLOSURE COMMISSION

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FOR IMMEDIATE RELEASE

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COMMISSION ASKS ATTORNEY GENERAL TO APPEAL WEA CASE TO STATE SUPREME COURT

Olympia – Washington's Public Disclosure Commission has recommended that the Attorney General ask the State Supreme Court to make the final decision on whether unions can use non-members' funds for political activity without their consent.

On June 24, 2003, the Court of Appeals, Division II, reversed a Superior Court ruling in State Public Disclosure Commission v. Washington Education Association that upheld a statutory requirement that union officials get affirmative authorization by individual agency shop fee payers before they can use their funds to make contributions or expenditures to influence an election or to operate a political committee. The Court of Appeals ruled that RCW 42.17.760, a section of Initiative 134 passed by popular vote in 1992, violated the First Amendment of the U.S. Constitution.

Susan Brady, Chair of the Public Disclosure Commission, said the decision merits appeal to the State Supreme Court.

"The Constitutionality of a citizens initiative should be decided by the highest court in our state", Brady said. "Invalidation of this section of law puts a burden on individuals and their right to free political speech."

RCW 42.17.760 states: "A labor organization may not use agency shop fees paid by an individual who is not a member of the organization to make contributions or expenditures to influence an election or to operate a political committee, unless affirmatively authorized by the individual".

The Court of Appeals ruling, if let stand, would require that individual agency shop fee payers formally object to the use of their funds for political activities by the labor organization.

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